GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Health Medical & Family Welfare Department - Andhra Pradesh Higher Education Regulatory & Monitoring Commission - Fixation of fee structure tentatively for BNYS BAMS & BHMS Programmes offered by the Private Un-Aided Professional Higher Education Institutions in the State of Andhra Pradesh for the Block Period 2023-26 – Notification - Issued.

HEALTH MEDICAL AND FAMILY WELFARE (F2) DEPARTMENT

G.O.Ms.No.193 **Dated: 31.10.2023**

Read the following:-

1. G.O.Ms.No.141, HM&FW (C2) Dept., dt.31.08.2023.
2. From the Member Secy. & CEO, APHER&MC, Lr.No.2756 /APHERMC/ADMN/2023, Dt:10.10.2023 along with the orders of the APHC in W.P.Nos.24893,24962,25070,25039 and 25365 of 2023.
3. From the Member Secy. & CEO, APHER&MC, Lr.No.2757 /APHERMC/ADMN/2023, Dt:13.10.2023 along with the orders of the APHC in W.P.No.25401 of 2023.

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O R D E R :-

In the G.O. 1st read above, Government have notified the fee structure for certain Programmes offered by the Private Un-Aided Professional Higher Education Institutions in the State of Andhra Pradesh for the Block Period 2023-26.

2. In the letters 2nd and 3rd read above, the Member Secretary & Chief Executive Officer, APHER&MC has state that certain managements of Colleges have either paid the processing fee within stipulated date / last date and could not upload the date online or could'nt pay the processing fee and could not upload the data online. Thus, the Commission has not recommended fee for those colleges. Further, he has reported that certain managements of Colleges have filed Writ Petitions requesting the Hon'ble High Court of Andhra Pradesh to direct the Commission to receive the date and fix the minimum fee for the block period 2023-24 to 2025-26 tentatively and further, direct the Higher Education Department of Andhra Pradesh, for listing the Petitioner Institutions and allotment of students / admissions in the programmes offered by them for the present academic year 2023-24 in online admission process as per the orders of the Hon'ble High Court.

3. The following are the details of the W.Ps and the dates of orders:

Sl.No	Name of the Degree College / School	W.P.No	W.P. Order Dated	Date of representation of college / school to the Commission
1	Sri Adi Siva Sadguru Alli Saheeb Sivaayula Ayurvedic Medical College and Research Centre, Thimmapuram, Guntakal	26068 of 2023	05.10.2023	10.10.2023
2	Sri Adi Siva Sadguru Alli Saheeb Sivaayula Homoeopathy Medical College Thimmapuram, Guntakal	26068 of 2023	05.10.2023	10.10.2023
3	Sri Pathanjali Maharshi Naturopathy & Yoga Medical College, Thimmapuram, Guntakal	26068 of 2023	05.10.2023	10.10.2023

P.T.O.

4. The Hon'ble High Court of A.P. has disposed of the Writ Petitions with the following directions:

> *"i. The petitioner/s/college(s) is/are directed to furnish all the data as required by the Commission for fixing the fee for the block period 2023-24 to 2025-26 along with representation if not submitted) by paying the processing fee with penalty as suggested in the notification within a period of one week from today.*
>
> *ii. On receipt of the same, the Commission is directed to process the representation of the petitioner, immediately on or before commencement of the upcoming counselling.*
>
> *iii. The State and Commission are directed to receive the relevant data submitted by the petitioner(s)/college(s) as per notification dated 30.06.2022 and the Commission shall tentatively fix the fee that can be collected by the college(s), for the courses offered, on par with the minimum fee that is being fixed in the colleges in the State and recommend the same to the State Government in five days.*
>
> *iv. The said minimum fee fixed, shall be treated as a tentative fee and the correct fee would be fixed by the Commission after due processing of the data submitted by the college.*
>
> *v. After receiving the request from the Commission, the State Government shall display the petitioner(s)/college(s) in the list of colleges at official website for participating in the upcoming web counselling in nursing courses for the present Academic Year 2023-24.*
>
> *vi. The State Government shall caution the students, taking admission into the courses offered by the colleges, by informing the students that the fee shown in the admission process, which is being collected initially, is a tentative fee and shall be subject to further change depending upon the final fee that would be fixed by the Commission.*
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> *vii. The Commission may also consider early fixation of the final fee that can be collected by the college for the block period 2023-24 to 2025-26."*

5. The Member Secretary & Chief Executive Officer, APHERMC has, therefore, requested to issue necessary orders under Section 7 of Andhra Pradesh Education Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 for execution of fee structure and also requested to direct the Dr YSR University of Health Sciences to display the colleges in the list of colleges of its official website for participating in the Counselling for the present academic year.

6. Government after careful examination of the matter, hereby issue the following Notification which shall be published in the Andhra Pradesh Extra-ordinary Gazette:

NOTIFICATION

7. In exercise of the powers conferred under Section 7 of Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Act, 1983 (Act No.5 of 1983) and upon considering the fee structure tentatively recommended by the APHERMC, the Government hereby notify the fee structure for BNYS, BAMS & BHMS Programmes offered by the Private Un-Aided Professional

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Higher Education Institutions in the State of Andhra Pradesh for the Block Period 2023-26 for the following colleges as detailed below:-

S. No.	College Code	Society Code	College Name	Programme Name	Convenor Fee	Management Quota Fee
1	PMNS	HERMC1321	Sri Pathanjali Maharshi Naturopathy & Yoga Medical College, Thimmapuram, Guntakal	BNYS	24,500/-	As per the dicta laid down in 1.T.M.A.Paid Foundation va State of Karnataka [(2002) 8 SCC 481]. 2.Islamic Academy of Education vs State of Karnataka [(2003) 6 SCC 897]. 3. Inamdar vs State of Maharashtra [(200506 SCC537]. 4. Consortium of Engineering Colleges Management Association, Hyderabad. Vs Govt. of A.P and others [(2013) 3 ALT 686 (DB)] and fee for Management Quota is same and similar to that of convenor quota ive hereunto.
2	SASA	HERMC1321	Sri Adi Siva Sadguru Alli Saheeb ivaayula Ayurvedic Medical College,Guntakal, Anantapuram district	BAMS	24,500/-	
3	SASH	HERMC1321	Sri Adi Siva Sadguru Alli Saheeb Sivaayula Homoeopathy Medical College, Guntakal, Anantapuram district	BHMS	24,500/-	

8. The fee structure notified by the Government under Section 7 of Act 5 of 1983 for the block period 2023-2026 above is subject to the following conditions:-

a. The fee structure notified above shall be treated as a tentative fee and the correct fee would be fixed by the Commission after due processing of the data submitted by the college.

b. The fee is an all-inclusive annual fee, including like tuition fee, affiliation fee, cost of identity card, medical fee, inter college/inter university sports, games & cultural meet fee, computer/internet fee, College magazine and student activities, student health care scheme, student welfare fund, study tour, alumni fund, sports and games fee, examination fee including stationery, maintenance and amenities fee, extracurricular activities fee, development fee, Recognition fee, Common Services fee and other recurring expenditure;

c. The aforesaid fee determined for all the Nursing, Ayush and para medical programmes for the colleges mentioned above does not include hostel, transport, mess charges, registration fee, admission fee and refundable deposits of library and laboratory fee.

d. The same fee shall continue for the students admitted during the block period of 2023-24 to 2025-26 till they complete the program.

e. The institutions whose affiliations are not extended by the affiliating Universities for the academic year 2022-23 are not entitled to collect any fee;

f. The institution shall not charge either directly or indirectly any other amount over and above the fee fixed above. If any other amount is charged under any other head or guise i.e., donations, etc. the same would amount to charging of capitation fee and in that case the institution shall be liable to be prosecuted under Section 9 of Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (Act No. 5 of 1983) apart from imposing appropriate penalty under the APHERMC Act, 2019 and the APHERMC Rules, 2019 as amended subsequently from time to time;

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g. The institutions are cautioned to maintain proper accounts following lawful practices (Accrual/Mercantile basis of Accounting) including processing payments and receipts through Banks and follow the Regulations as well as guidelines of the Commission in submitting data for evaluation and regulation of fee proposals henceforth. In default their respective fee proposals are liable to be rejected under Regulation 5 (B)(viii) of APHERMC Regulations and such instances shall not be forwarded to the Government for fixation of fee.

h. In case of any deviation from these directions, the Commission will initiate serious penal action as per the provisions of the Act and Rules made there under;

i. Under Section 12 (4) & (5) of A.P. Higher Education Regulatory and Monitoring Commission Act, 2019, the Commission has the power to review and determine the fee payable to the Higher Educational Institutions and review the fee determined, whether notified or not by the Government for any academic years/block periods.

j. The institutions are informed that the fixation of Fee structure by the Government will not by itself enable or permit the managements to run programmes, if the programmes are not recognized/permitted by the Government / All India Council for Technical Education/ PCI/ /UGC/NCTE and concerned University/any other statutory Authority.

9. The Registrar, Dr YSR University of Health Sciences shall display the petitioner(s)/college(s) in the list of colleges at official website for participating in the upcoming web counselling for the present Academic Year 2023-24.

10. The Registrar, Dr YSR UHS shall take necessary action to caution the students, taking admission into the courses offered by the colleges, by informing the students that the fee shown in the admission process, which is being collected initially, is a tentative fee and shall be subject to further change depending upon the final fee that would be fixed by the Commission and notified by the Government.

11. The Registrar, Dr.YSR University of Health Sciences, Vijayawada/Director of Medical Education, AP shall take necessary action accordingly.

12. The orders issued above are subject to directions/outcome of the court cases, pending if any and as per the guidelines/directions issued by Government from time to time.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M T KRISHNA BABU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationery, Vijayawada (with a request to publish in the next extra-ordinary Gazette and supply 50 copies immediately)
The Registrar, Dr.YSR University of Health Sciences, Vijayawada.
The Commissioner of AYUSH, A.P., Vijayawada.
The Director of Medical Education, Andhra Pradesh Vijayawada.
The Secretary & Chief Executive Officer, Andhra Pradesh Higher Education Regulatory & Monitoring Commission, Tadepalli, Guntur District.
All Principals of Colleges concerned through Dr.YSR University of Health Sciences / Director of Medical Education under their control.

Copy to:
The Govt., Pleader, HM&FW, APHC.
The OSD to Minister(HFW & ME).
The PS to Special Chief Secretary to Government, HM&FW Department.
SF/SC(Computer No.2242066)

//FORWARDED :: BY ORDER//

SECTION OFFICER

31/10/2023